

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF NEW YORK

JARQUAY AZZAM ABDULLAH,

Plaintiff,

-against-

Civil Action No.  
9:06-CV-0622  
(LEK/DEP)

GLENN S. GOORD, *et al.*,

Defendants.

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**DECISION AND ORDER**

This matter comes before the Court following a Report-Recommendation filed on July 26, 2007 by the Honorable David E. Peebles, United States Magistrate Judge, pursuant to 28 U.S.C. § 636(b) and L.R. 72.3 of the Northern District of New York. Report-Rec. (Dkt. No. 35). After ten days from the service thereof, the Clerk has sent the entire file to the undersigned, including the objections by Jarquay Azzam Abdullah, which were filed on August 16, 2007 and September 6, 2007. Objection (Dkt. No. 39); Supp. Objection (Dkt. No. 41).

It is the duty of this Court to “make a de novo determination of those portions of the report or specified proposed findings or recommendations to which objection is made.” 28 U.S.C. § 636(b). “A [district] judge... may accept, reject, or modify, in whole or in part, the findings or recommendations made by the magistrate judge.” *Id.* This Court has considered the objections and has undertaken a de novo review of the record and has determined that the Report-Recommendation should be approved for the reasons stated therein.

Accordingly, it is hereby

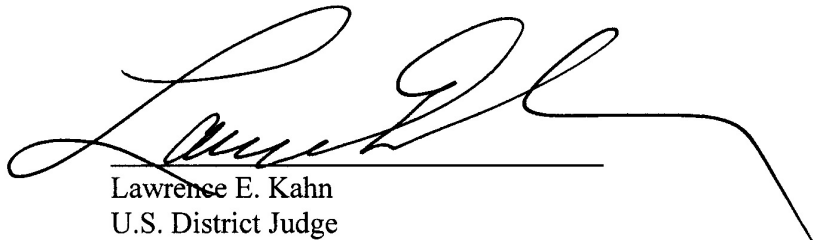
**ORDERED**, that the Report-Recommendation (Dkt. No. 35) is **APPROVED** and **ADOPTED** in its **ENTIRETY**; and it is further

**ORDERED**, that Defendants' Motions to dismiss Plaintiff's Complaint (Dkt. Nos. 23, 28), with respect to Defendants Goord, Headley, LaConte, Bellamy, Cunningham, and Roberts, be **GRANTED** in their entirety, and all claims against these Defendants be **DISMISSED**; and it is further

**ORDERED**, that Plaintiff's claim against Defendant Everleth remains pending as described in the Report-Recommendation (Dkt. No. 35); and it is further

**ORDERED**, that the Clerk serve a copy of this Order on all parties.

DATED: September 24, 2007  
Albany, New York



Lawrence E. Kahn  
U.S. District Judge